

UNITED STATES DISTRICT COURT
NORTHERN DISTRICT OF CALIFORNIA

UNITED STATES OF AMERICA,

Plaintiff,

v.

CHAD ANDREW CARTER,

Defendant.

Case No. 20-cr-00253-VC-1

**ORDER REQUESTING REPORT
FROM PROBATION OFFICE**

The probation office is directed to prepare a report addressing the questions identified below. The questions need not be addressed in any particular order, and the report can be in whatever format the office finds most convenient. The report should be submitted in camera to the Court by Tuesday, March 23, and the Court will post the report on the docket before the sentencing hearing after making any necessary redactions.


- How does the Computer Internet Monitoring Program work?
- What devices can the probation office monitor through the program?
- How does the probation office actually review the content on the devices subject to the program?
- What are the concerns about how offenders can bypass the monitoring program? Does the probation office believe that the program is effective?
- How does the probation office determine the specific monitoring/blocking restrictions to be applied in an individual's case?
- The PSR proposes a probation condition requiring that an offender obtain a probation officer's prior approval before using a "computer" as defined in 18 U.S.C. § 1030(e)(1). If the Court determines that this definition is overbroad, would the probation office have

any concerns with defining “computer” as any device capable of accessing the internet or of sending/receiving data electronically? If so, what are those concerns?

- More generally—separate and apart from computer monitoring—the PSR recommends that the decision about whether certain restrictions be imposed on a particular offender be left to the probation officer (for example, whether the offender should have email access, whether the offender should be allowed to access newsgroups, and whether the offender should be allowed to view adult pornography). How are decisions made about these matters? Who is involved in the decisions? Why do they need to be left to the discretion of the probation officer?

IT IS SO ORDERED.

Dated: March 2, 2021



VINCE CHHABRIA
United States District Judge